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1 – KMCO identifies worker killed in explosion at Crosby chemical plant, Houston Chronicle, 4/3/19

<https://www.chron.com/news/houston-texas/houston/article/Crosby-chemical-fire-to-be-investigated-by-U-S-13737843.php>

Officials at KMCO chemical plant in Crosby have identified the worker who was killed in Tuesday's explosion and fire. The U.S. Chemical Safety Board said Wednesday it will be investigating the KMCO chemical plant fire.

2 – Cause of deadly KMCO explosion in Crosby still unknown, ABC 13, 4/3/19

<https://abc13.com/worker-who-died-in-kmco-explosion-identified/5232442/>

One person has died and two were critically injured in a fire Tuesday morning at KMCO chemical plant in Crosby, the second significant fire at a chemical plant in the Houston area within three weeks.

3 – Topic Page: US ITC terminal tank fire, ICIS, 4/3/19

<https://www.icis.com/explore/resources/news/2019/04/03/10343669/topic-page-us-itc-terminal-tank-fire/>

A storage tank caught fire at Intercontinental Terminals Company's (ITC) Deer Park facility in La Porte, Texas on 17 March. The fire lasted for several days, spreading to tanks containing toluene, xylenes, naphtha, gasoline blendstocks and base oils used to make machine lubricants.

4 – Crude oil tanks catch fire in Crosby after lightning strike, Houston Chronicle, 4/4/19

<https://www.chron.com/neighborhood/lakehouston/news/article/Crude-oil-tanks-catch-fire-in-Crosby-after-13740718.php>

Small crude oil tanks caught fire early Thursday in Crosby after a lightning strike during overnight storms, according to authorities. The fire was reported around 1:19 a.m. at a well site on Sralla Road, the Crosby Volunteer Fire Department said in a Facebook post.

5 – Texas House hearing on ITC fire on Friday, Baytown (TX) Sun, 4/4/19

http://baytownsun.com/news/article_0baf7ec8-5676-11e9-96f3-4b9e9869d3b7.html

Two Texas House of Representatives committees will hold a joint hearing about the recent ITC fire in Deer Park about 10:30 a.m. Friday at the Capitol in Austin. The hearing is scheduled to be live-streamed so it can be viewed on most standard desktop and mobile Internet devices.

6 – Lawmakers press Wheeler on spending cuts, climate change, E&E News, 4/3/19

<https://www.eenews.net/greenwire/2019/04/03/stories/1060141913>

EPA Administrator Andrew Wheeler testified this morning before the Senate Interior, Environment and Related Agencies Appropriations Subcommittee. He had to defend the White House fiscal 2020 budget for EPA, which would give the agency about \$6.1 billion, slashing nearly a third of its current funds at roughly \$8.8 billion.

7 – Every Breath You Take: An Indoor Smog Story, Texas Public Radio, 4/3/19

<https://www.tpr.org/post/every-breath-you-take-indoor-smog-story>

Thanks to federal regulations, our outdoor air has half the emissions from harmful gases that it had four decades ago.

Sounds great, right? Except Americans spend around 90 percent of their lives indoors, according to an EPA-funded study. So what do we know about the air we breathe inside? Turns out, very little. (*audio interview*)

8 – Court examines oil and gas wastewater dumping, E&E News, 4/4/19

<https://www.eenews.net/energywire/2019/04/04/stories/1060142569>

Green groups yesterday asked a federal appellate court to review a permit for waste disposal from hydraulic fracturing operations in the Gulf of Mexico.

9 – Bill would let some companies keep pollution info secret, The Oklahoman, 4/4/19

<https://newsok.com/article/5627662/bill-would-let-some-companies-keep-pollution-info-secret?>

Conservation groups are taking aim at the Oklahoma Environmental, Health and Safety Audit Privilege Act as a poison pill that favors industry over those who seek to protect Oklahoma's environment.

10 – Corps studies improving New Orleans levees to keep pace with hurricane flood risk, New Orleans Times-Picayune, 4/3/19

<https://www.nola.com/environment/2019/04/corps-studies-improving-new-orleans-levees-to-keep-pace-with-hurricane-flood-risk.html>

The Army Corps of Engineers is embarking on studies of potential improvements to the east bank and West Bank hurricane levee systems because portions of the post-Katrina levee system are likely to be inadequate to reduce risk from stormwater surges created by a so-called 100-year storm as early as 2023.

11 – Climate advisory panel disbanded by Trump releases report, E&E News, 4/4/19

<https://www.eenews.net/climatewire/2019/04/04/stories/1060142391>

A climate science advisory panel disbanded by the Trump administration released a report today outlining the steps communities can take to prepare for climate change.

12 – OPINION: Changing the visual narrative of climate change, New Orleans Times-Picayune, 4/4/19

<https://expo.nola.com/opinion/g66l-2019/04/6618cf893d901/changing-the-visual-narrative-of-climate-change.html>

There is a vast amount of media to consume related to climate change. We are bombarded with images and stories about the crisis that is looming, or already underway, for residents of coastal environments on a daily basis. What is missing from the conversation is how Louisiana fits into the larger international paradigm shift of how we inhabit coastal space and what that physically looks like.

13 – Judge: Shingle Mountain has 90 days to disappear from southeast Dallas, Dallas Morning News, 4/4/19

<https://www.dallasnews.com/opinion/commentary/2019/04/03/judge-shingle-mountain-90-days-disappear-southeast-dallas>

By July, at the very latest, Shingle Mountain should no longer cast its hideous shadow over southeast Dallas. No, this is not another temporary shutdown requested by city attorneys and signed by a judge. And this is not another time-out in a case that never should have gotten this far to begin with. This is it. Or, it should be.

14 – Cyanide plant permit revoked by Jefferson Parish Council in extraordinary about-face, New Orleans Times-Picayune, 4/4/19

<https://www.nola.com/politics/2019/04/cyanide-plant-permit-revoked-by-jefferson-parish-council-in-extraordinary-about-face.html>

Jefferson Parish halted Cornerstone Chemical Co.'s plans to build a hydrogen cyanide plant at Waggaman on Wednesday (April 3). The Parish Council yanked the permit for the \$100 million project in an extraordinary reversal from its decision 15 months ago.

KMCO identifies worker killed in explosion at Crosby chemical plant

By **Matt Dempsey** and **Julian Gill** Updated 12:30 pm CDT, Wednesday, April 3, 2019



IMAGE 1 OF 39

Overhead as firefighters spray water at the location of the KMCO fire, that killed one and injured two on Tuesday, April 2, 2019 in Crosby.

Officials at KMCO chemical plant in Crosby have identified the worker who was killed in Tuesday's explosion and fire.

James Earl "Bubba" Mangum was killed in the blast, which also critically injured two others.

The U.S. Chemical Safety Board said Wednesday it will be investigating the KMCO chemical plant fire.

ON HOUSTONCHRONICLE.COM: KMCO Crosby plant fire - Facility poses high potential for harm, long history of safety violations

Recommended Video

The CSB is an independent agency that does not fine companies or issue violations. Instead, it conducts what is known as "root cause" investigations, determining how an incident occurred and providing and other stakeholders on how to prevent it from

g, officials said. CSB interim executive authority to Hillary Cohen, the agency's communications

manager.

Morning Report - The top stories on [HoustonChronicle.com](https://www.houstonchronicle.com).

The incident at the KMCO chemical processing facility in Crosby was the third chemical plant fire in 17 days in the Houston area, prompting another massive emergency response and forcing nearby residents and schoolchildren to stay indoors.

The initial explosion was triggered by a flammable gas called isobutylene, authorities said. The fire was extinguished Tuesday afternoon, but emergency crews are still trying to determine what caused the gas to ignite.

WHAT WE KNOW: The company behind the KMCO Crosby plant fire

The CSB is also investigating the previous blaze at the Intercontinental Terminals Co. facility in Deer Park, which caught fire March 17 and burned for three days. No serious injuries were reported in that incident.

Cause of deadly KMCO explosion in Crosby still unknown

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KMCO says its number one priority is safety and compliance, but ABC13 learned that has been an issue in the past.

By [Katherine Marchand](#)

Wednesday, April 3rd, 2019 6:46PM

CROSBY, Texas (KTRK) -- KMCO is expected to provide an update on the explosion that killed one worker and injured two others.

The names of the injured workers have not been released, but the medical examiner identified the employee who died as James Mangum. Family and friends tell us that he was a jokester who was a good, honest and hardworking guy who cared about his job.

When we last heard from KMCO, they still didn't know what caused the explosion that killed Mangum.

Firefighters battled the fire at 16503 Ramsey Road, just off the Crosby Freeway in east Harris County for more than five hours on Tuesday.

A tank containing isobutylene caught fire and spread to a warehouse.

ABC13 has asked repeatedly what was stored in that warehouse. Officials responded by telling us that they are still investigating.

KMCO says they'll work with authorities to prevent this from ever happening again.

ABC13's Ted Oberg uncovered that the facility has some inspection violations in its recent past. Five "quarter" inspections resulted in violations of EPA rules, Oberg reported.

KMCO released a statement around 3:30 p.m. Wednesday in response to questions from the media and community:

Regarding KMCO's Most Affected Employees

"The entire KMCO team continues to mourn the loss of our friend and colleague, James Earl Mangum, or 'Bubba' as he was fondly known at the plant," KMCO CEO, John Foley said.

"Our thoughts and prayers are with his family as well as his two coworkers who remain in intensive care at area hospitals."

Out of respect for the families and their privacy, the company will not release further information on their status beyond confirming that both men remain in critical condition and the company is in close contact with their loved ones to provide care and support at this difficult time. The company is also providing medical check-ups and grief support services for other coworkers who were otherwise impacted.

Regarding the Status of the Ongoing Post-Incident Response and Investigation

As previously reported, the fire at the facility was extinguished yesterday, April 2nd at approximately 4:20 p.m. Emergency services teams continued to apply water and foam on hot surfaces to prevent any potential for reignition. The company greatly appreciates the swift and professional work of the sheriff's department, fire department, first responders, the EPA and other agencies that helped the company contain and control the situation.

As was reported yesterday, the EPA initiated aerial and ground level air monitoring soon after the fire started, and their highly sensitive monitoring equipment (detection down to 2 ppb) found no levels of any hazardous compounds in the air that would raise health concerns or prompt an order to shelter in place. The company has numerous air monitoring systems at the Crosby site and deployed teams of mobile monitors to gather air samples in surrounding communities and downwind from the facility. These roving monitors continued sampling throughout the night and continue today. The data from all these samples will be analyzed and shared with regulatory authorities.

All plant operations are suspended indefinitely, and the Fire Marshall has taken control of the Crosby site. This morning, the company responded to community and fire department reports of nuisance odors from still-smoldering areas of the plant associated with methanol and ethanol tanks. Responders applied additional foam to the areas to prevent the release of odors. "KMCO will remain vigilant in our air monitoring and rapid response until the site is completely stabilized," said Keith Terhune, KMCO's VP of Operations. "We apologize to our neighbors for any discomfort or concerns they may have felt as a result of this incident."

The company will continue to work with regional, state and federal authorities to investigate the cause of the incident and the integrity of all tanks and equipment at the plant. At this point, we still do not know what caused the leak of isobutylene or the source of ignition and believe it would be inappropriate to speculate.

Regarding the Compliance Record of the KMCO Crosby Facility

KMCO, LLC acquired the Crosby facility in 2012. Therefore, KMCO, LLC did not own or operate the Crosby facility and is not responsible for any historic incidents or violations that occurred prior to 2012, including those that were fully adjudicated in 2016.

After the acquisition, KMCO, LLC's new owners recruited a new management team in 2015 that dramatically accelerated the process of transforming the company by investing tens of millions in new capital and re-investing ongoing profits in people, processes, policies, and facility upgrades to safeguard our employees and the community, as well as the integrity and sustainability of our business.

Mr. Foley stated: "Ironically, the best fact-check of our company's commitment to fully safe and compliant operations is the fact that we self-reported all the violations and reportable incidents that we discovered after we took control of the facility. We did the right thing and the government fined us for it. But we remain committed to doing what's right regardless of cost."

Foley continued, "We will work with authorities to investigate yesterday's incident thoroughly to prevent it from ever happening again. And with the help of our dedicated team, we will continue our mission of transforming KMCO into a next-generation, best-practice operator that exceeds the expectations of our customers, employees, surrounding communities, regulators and the industry at large."

Regarding Communications with the Company

Community residents wishing to contact the company are invited to call the KMCO community outreach number at (281) 328-0285.

Residents are urged NOT to call the fire department unless they have an emergency.



Topic Page: US ITC terminal tank fire

Source: ICIS News

2019/04/03



A storage tank caught fire at Intercontinental Terminals Company's (ITC) Deer Park facility in La Porte, Texas [on 17 March](#). The fire lasted for several days, spreading to tanks containing toluene, xylenes, naphtha, gasoline blendstocks and base oils used to make machine lubricants.

A tank farm containment wall partially collapsed [on 22 March](#), releasing chemicals into a ditch that leads to the Houston Ship Channel, prompting the US Coast Guard to close traffic on the water near Tucker Bayou and the ITC site.

As clean-up efforts continued, shipping restrictions resulted in a [backlog of vessels](#) trying to get in and out of the area.

Some companies have declared force majeure because of logistical issues, and petrochemical prices are facing upward pressure as market participants continue to monitor the potential impact of the fire and its aftermath.

Pictured above: A plume of smoke rises from a tank fire at the Intercontinental Terminals Company (ITC) Deer Park facility near Houston, Texas. (Source: David J Phillip/AP/REX/Shutterstock)

ITC INCIDENT RESOURCES



Route 225 and 3.3 miles east of Beltway 8. ([map](#))

- **Storage Tanks:** 242
- **Total Capacity:** 13,058,136 barrels / 2,076,078 M3
- **Size Range:** 8,000 – 160,000 barrels / 1,272 – 25,438 M3
- **Transportation Modes Served:** Vessel, barge, rail car, tank truck, pipeline system connections
- **Rail Car:** 500 car capacity private storage spur, loading and unloading racks throughout terminal, certified rail scale, served by the Port Terminal Railroad Association (PTRA)
- **Tank Truck:** Loading and unloading racks throughout terminal, certified public truck scale
- **Ship and Barge Docks:** Five tanker berths; four ranging from 600 ft (182.88 m) to 900 ft (274.32 m) LOA, nominal 40 ft (12.19 m) to 45 ft (13.72 m) draft; one tanker berth, 520 ft (158.5 m) LOA, 28 ft (8.53 m) draft, 80 ft (24.38 m) beam. Ten barge docks; up to five ocean-going tankers and 15 barges accommodated simultaneously

Products Handled:

Chemicals	Petroleum	Gases
Primary Organics	Heavy Fuel Oil	C3,C4, C5
Organic Intermediates	Refined Products	
Organic End Chemicals		
Inorganic Chemicals		

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- In-storage product blending
- Vapor control systems for tank truck, tank car and marine vessels
- Semi- and fully refrigerated systems
- Product heating and circulation
- Vessel/barge layberth accommodations
- Rail car storage track
- Nitrogen and steam systems

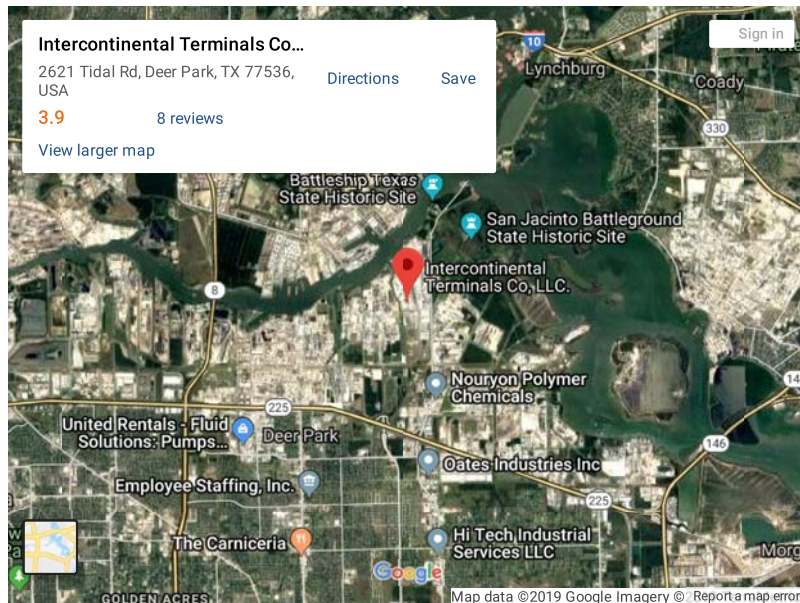
Blending

- Customized capabilities

Direct Moves

- All mode transfer capability, including barge/vessel lightering

SOURCE: [ITC website](#)



The US Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) created an [interactive resource](#) on response activities for the ITC fire. Click on the following image to open a new window and scroll through the [story map](#).

Crude oil tanks catch fire in Crosby after lightning strike

By [Julian Gill](#) Updated 8:12 am CDT, Thursday, April 4, 2019



IMAGE 1 OF 8

Small crude oil tanks caught fire Thursday morning and burned for roughly two hours after a lightning strike during overnight storms in Crosby, authorities said.

Small crude oil tanks caught fire early Thursday in Crosby after a lightning strike during overnight storms, according to authorities.

The fire was reported around 1:19 a.m. at a well site on Sralla Road, the Crosby Volunteer Fire Department said in a Facebook post.

Several emergency crews, including teams from Huffman and Sheldon, helped extinguish the blaze at 3:54 a.m., the post said.

The man who reported the fire, Daniel Cook, told Metro Video that he was in bed and woke up seconds before the lightning strike. He said he heard a loud boom and went to check on his dogs when he noticed a large orange glow from the oil patch next door.

Recommended Video

"With all the stuff that's happened recently, it's kind of surreal," Cook said. "Like, here it is in my backyard. I work in Deer Park — right next to ITC — and KMCO blew up two days ago. Neighbor on fire."

00:02 05:01





NEXT UP



Funds raised during Relay make an impact
Every dollar makes a difference in the fight against cancer....

Texas House hearing on ITC fire on Friday

Mark Fleming



Two Texas House of Representatives committees will hold a joint hearing about the recent ITC fire in Deer Park about 10:30 a.m. Friday at the Capitol in Austin. The hearing is scheduled to be live-streamed so it can be viewed on most standard desktop and mobile Internet devices.

State Rep. Briscoe Cain requested the groups— Homeland Security and Public Safety Committee and Environmental Regulation Committee— hold the hearing.

“I am looking forward to uncovering the facts of the incident at the ITC-Deer Park facility and getting answers for the community,” Cain said. He lives in Deer Park, and his district includes both that community and much of Baytown.

“This crucial hearing is the first step in ensuring accountability and preventing such incidents from happening in the future,” he continued. “I’m blessed to be raising my family in the same community I grew up in; keeping our community safe is my top priority.

“Working with local leaders, state agencies, and industry experts, we will make certain our community is safe and prosperous.”

Cain’s legislative director, Trevor Harris, said confirmed witnesses for the hearing include Toby Baker from the Texas Commission on Environmental Quality, David Gray from the Environmental Protection Agency, Francisco Sanchez from the Harris County Office of Homeland Security and Emergency Management and Jerry Mouton, mayor of Deer Park.

The hearing will be in Room E1.30. To see it online, go to capitol.texas.gov website and find the “Video Broadcasts” link under “Legislative Activity.”

The meeting will be at 10:30 a.m. or following adjournment of the House.

(0) COMMENTS

Welcome to the discussion.

Keep it Clean. Please avoid obscene, vulgar, lewd, racist or sexually-oriented language.

PLEASE TURN OFF YOUR CAPS LOCK.

Don't Threaten. Threats of harming another person will not be tolerated.

Be Truthful. Don't knowingly lie about anyone or anything.

Be Nice. No racism, sexism or any sort of -ism that is degrading to another person.

Be Proactive. Use the 'Report' link on each comment to let us know of abusive posts.

Share with Us. We'd love to hear eyewitness accounts, the history behind an article.

Post a comment

Watch this discussion.

Lawmakers press Wheeler on spending cuts, climate change

Kevin Bogardus, E&E News reporter Published: Wednesday, April 3, 2019



EPA Administrator Andrew Wheeler during a hearing this morning on his agency's budget request. Andrew Hamik/Associated Press

Democratic senators today pressed EPA Administrator Andrew Wheeler about President Trump's proposal for drastic budget cuts at his agency.

Wheeler testified this morning before the Senate Interior, Environment and Related Agencies Appropriations Subcommittee.

He had to defend the White House fiscal 2020 budget for EPA, which would give the agency about \$6.1 billion, slashing nearly a third of its current funds at roughly \$8.8 billion.

The EPA chief was also questioned about declining staffing at the agency as well as proposals to curtail various environmental regulations.

In his opening statement, Sen. Tom Udall (D-N.M.), the subcommittee's ranking member, said he was relieved that Wheeler's predecessor, Scott Pruitt, is "no longer dominating the news cycle with daily scandals. But the bottom line is that I don't see much of a change in terms of policy."

The New Mexico senator noted that the administration has proposed deep cuts in past EPA budgets only to be rejected by Congress, which has kept level funding for the agency in recent years.

Udall said he was tired of the gamesmanship and made reference to Trump's announcement at a Michigan campaign rally last week that he would fully fund the Great Lakes Restoration Initiative after his budget plan proposed to cut it by 90 percent.

Wheeler has said he agrees with the president's remarks and EPA is working with the Office of Management and Budget to amend its budget plan.

"It's a wink and the nod that the budget request isn't really real. But that, I submit to you, makes a mockery of the process. Budgets are statements of policy priorities," Udall said, saying Trump's budget plan shows the administration favors industry over the environment. "There is no wink or nod — or announcement at a rally — that can undo that."

Sen. Lisa Murkowski (R-Alaska), the subcommittee's chairwoman, thanked Wheeler for returning EPA to its basic functions but also said she found the Trump budget plan would not match up with the administration's goals for the agency. She said the agency's final budget will look different from the president's request.

"While I appreciate this budget's recognition of numerous programs that do have bipartisan support, many of the reductions would, in my view, be inconsistent with some of the back-to-basics approach I just mentioned," Murkowski said.

Wheeler, in his opening statement, emphasized the administration's deregulatory work at EPA as well as its support of water infrastructure and a new proposed Healthy School Grants program with \$50 million in funding.

The EPA administrator said the administration is proving that economic growth and environmental protection can go hand in hand.

Asbestos, climate

Wheeler was often pushed by Democratic senators to take quicker action on priorities. Sen. Jon Tester (D-Mont.) asked when EPA would finalize its risk evaluation for asbestos, which has plagued residents of Libby in his state, by the end of this year. Wheeler said that was EPA's goal.

"We have got people dying from this, OK? And it's not a pleasant death. Why is it out there?" Tester said.

Wheeler said EPA's goal is to finish the evaluation by the end of this year, but he said he didn't want to "prejudge" the assessment. Tester argued that the material should be off the market given its deadly effects.

"If it's rock-solid, we will move quickly to pull it off the market," Wheeler said.

Senators also had questions over EPA's work on climate change. Sen. Jeff Merkley (D-Ore.) reminded Wheeler that during his confirmation hearing to be EPA administrator, Wheeler told him that climate change ranked as eight or nine out of 10 as a concern for him.

"If you have a high level of concern, how come you are cutting funding for key climate programs?" Merkley said.

Wheeler pointed to new proposed rules to replace Obama-era regulations to lower carbon emissions from power plants and vehicles. Merkley said those new rules would lead to increased carbon pollution.

Udall noted that EPA as part of its enforcement function is performing fewer inspections and under Trump's budget would cut funding for state agencies that would have to pick up the slack.

Wheeler countered by saying that EPA is focusing on areas that are not in line with environmental standards and that the number of criminal cases started by the agency rose last year.

"We are focusing on compliance and audits at the beginning of the process, but we are making sure that if people are violating the law, we are taking action, including criminal action against them," Wheeler said.

Staffing, vacancies

Udall confronted Wheeler on staffing. Hundreds of employees have left the agency under the Trump administration.

The ranking member said EPA has the funding in place to hire their replacements, given that lawmakers have rejected proposed budget cuts for the agency, but has not done so.

"I see this as an intentional effort to cripple the EPA so badly, effects will last well past this administration," Udall said.

Wheeler acknowledged that it is a challenge for the agency. He noted that 40 percent of EPA staff members are eligible to retire. In addition, he said, sometimes staffing surges fail to come through.

Wheeler said EPA hired 30 people last year to work on Toxic Substances Control Act issues, but 30 people left during that time period.

"My main concern is we have the right expertise," Wheeler said.

At times during this hearing, the EPA administrator lamented how arduous the Senate confirmation process has been to fill out political leadership at the agency.

Wheeler said he hopes EPA will have the head of its land and emergency response office in place before the next hurricane season hits, given that he was first nominated for the job nearly 400 days ago.

In addition, Wheeler said prospects have turned down the chance to join EPA, given the length of the confirmation process, acknowledging that its research office also does not have a Senate-confirmed head.

"We have had a hard time of filling positions because people look at how long the process takes, and they have told us no," Wheeler said.

Wheeler's testimony this morning was his second hearing this week, after he appeared before the House Interior, Environment and Related Agencies Appropriations Subcommittee yesterday.

He will also be back on Capitol Hill next week. The EPA administrator is slated to testify about Trump's budget request before the House Energy and Commerce Subcommittee on Environment and Climate Change on Tuesday.

Every Breath You Take: An Indoor Smog Story

By EDITOR · 18 HOURS AGO

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A woman cooks lunch in her house in Manila.

NOEL CELIS/AFP/GETTY IMAGES



Listen

Thanks to federal regulations, our outdoor air has half the emissions from harmful gases that it had four decades ago.

Sounds great, right? Except Americans spend around [90 percent](#) of their lives indoors, according to an EPA-funded study.

So what do we know about the air we breathe *inside*? Turns out, very little.

Here's [*The New Yorker's*](#) Nicola Twilley:

Unlike outdoor air, the air inside our homes is largely unregulated and has been all but ignored by researchers. We know barely the first thing about the atmospheres in which we spend the vast majority of our time. HOMEchem—House Observations of Microbial and Environmental Chemistry—was the world's first large-scale collaborative investigation into the chemistry of indoor air [...] But the experiment's early results are just now emerging, and they seem to show that the combined emissions of humans and their daily activities—cooking, cleaning, metabolizing—are more interesting, and potentially more lethal, than anyone had imagined.

Last year, 60 scientists convened for the HOMEchem Project at the University of Texas-Austin — where they cooked, cleaned and performed other household duties in a ranch house on the university's engineering campus. With a half-million dollars' worth of high-end tech equipment, they measured the impact of these activities on the air inside.

We speak with one of the scientists behind the study about what they found.

Show produced by Haili Blassingame. Text by Kathryn Fink.

GUESTS

Delphine Farmer, Chemist; associate professor, Colorado State University; [@ChemDelphine](#)

For more, visit <https://the1a.org>.

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Court examines oil and gas wastewater dumping

Pamela King, E&E News reporter

Published: Thursday, April 4, 2019

Green groups yesterday asked a federal appellate court to review a permit for waste disposal from hydraulic fracturing operations in the Gulf of Mexico.

EPA fell short of its duties under the National Environmental Policy Act and the Clean Water Act to study the impact of wastewater discharges on sea turtles, whales and other ocean species, Center for Biological Diversity attorney Kristen Monsell argued before the 5th U.S. Circuit Court of Appeals.

"I think the judges were a bit skeptical of our position, but we think it's absolutely the right one under the law here," she said after oral arguments in Houston yesterday. "The agency is allowing oil companies to dump massive amounts of wastewater and fracking chemicals into the Gulf without studying impacts on marine life."

Plaintiffs in the case, which also include the Gulf Restoration Network and the Louisiana Bucket Brigade, filed their lawsuit last year ([Energywire](#), Feb. 14, 2018).

Judge Edith Jones, a Reagan appointee, led the questioning, Monsell said. The panel, which also comprised Trump picks James Ho and Andy Oldham, seemed curious about plaintiffs' arguments that EPA should not have relied on an environmental analysis that predated the widespread use of fracking about a decade ago, she said.

The oil and gas extraction technique carries different risks than conventional approaches, Monsell said.

"There's been a whole host of new information indicating that the impacts of fracking may be quite significant and cause harm to the marine environment," she said. "EPA just dismissed those entirely."

The judges had fewer questions for opposing counsel, she said.

EPA does not comment on pending lawsuits. Lawyers for the American Petroleum Institute, an intervenor in the case, did not respond to a request for comment.

During briefing, the government and API argued that EPA properly issued its discharge permit.

"EPA issued the Permit following a thorough review of potential environmental impacts under NEPA and the CWA," the government wrote in a brief filed last summer.

"Petitioners' claims to the contrary misunderstand applicable law, ignore important facts in the administrative record, and improperly seek to have the Court substitute its judgment for EPA's."

API argued that the plaintiffs lacked standing to file the lawsuit, an issue the judges raised during yesterday's proceedings, Monsell said.

The court will likely issue a ruling in the coming months.

Bill would let some companies keep pollution info secret

BY KELLY BOSTIAN
TULSA WORLD

Published: Thu, April 4, 2019 1:03 AM | Updated: Thu, April 4, 2019 1:26 AM

[MIKE SIMONS/Tulsa World file]

Conservation groups are taking aim at the Oklahoma Environmental, Health and Safety Audit Privilege Act as a poison pill that favors industry over those who seek to protect Oklahoma's environment.

But Secretary of Energy and Environment Ken Wagner said the intention behind Senate Bill 1003, which passed 36-7 in the Senate and is now in the House Energy and Natural Resources Committee, will help, not hinder, environmental interests.

David Page, a longtime Tulsa environmental attorney, does not share the secretary's view of the bill.

"It's the most comprehensive act I've ever seen that will protect people who have caused pollution. They will be able to hide information that is typically is available to the people impacted to protect themselves and their property," he said.

At the crux of the issue is the creation of "privileged" status for reports created by entities that self-audit or hire contractors to conduct environmental compliance audits of their facilities. Those audit records would be sealed and not available publicly via an Oklahoma Open Records Act request or for court proceedings. Anyone releasing the information, including public officials, could be subject to penalties.

Opponents argue that this would open the door to bad actors that might pollute and then conceal the impacts, or the causes of those impacts, from the public.

Wagner said he understands the concern.

"Anytime you hear about immunity and privilege, it can cause the hairs to go up on the back of your neck," he said.

Wagner said the root of his personal advocacy for the bill in his home state comes from his time with the federal Environmental Protection Agency as senior adviser to the administrator for regional and state affairs. He's seen the measure work for other states, including Texas, he said.

Oklahoma would become the 30th state to offer potential polluters privilege or immunity from penalty for self-auditing and reporting.

Environmental enforcement agencies typically have fewer resources to monitor potential pollution sources as those potential sources continue to increase, Wagner said. The EPA might find a problem and take months in reporting the problem to a company or the public.

Under the proposed act, a problem found by a company in a self-audit could be addressed faster, and the company would contact the agency to let it know it is self-auditing, he said.

“If you want companies to do this, you have to give them some incentive,” he said. “To give them protection that their audit documents will receive legal privilege and third parties won’t be able to use those documents to sue them, it removes a chilling effect. Otherwise, companies aren’t going to do it.”

The former Tulsa attorney likened the process to that of medical peer reviews in hospitals, which also are privileged.

“We want hospitals to review their processes and improve their operations, but what would be better for someone wanting to file a lawsuit than testimony from doctors about how they goofed here or there or how they could have done something better? The reviews help the hospitals perform better, and that is better overall for the public. The same goes for wanting to have cleaner air, water and fewer contaminations to the land,” he said.

He said the bill would not undo existing environmental rules.

“It’s important to note that this does not change one substantial aspect of existing law, statute or regulation. If you have a requirement for inspections or to meet regulations, you still have that requirement,” he said.

Pat Daly, conservation coordinator for the Oklahoma Chapter of Trout Unlimited, is not buying the sales pitch, and his group and others, such as the Oklahoma Conservation Coalition and the Sierra Club of Oklahoma, are doing all they can to urge state representatives to wait on this one.

The bill is too vague on several points, and the potential for harm is grave and needs a closer look, Daly said.

“Our read of it is if I have a pollution incident or am a heavy polluter, all I have to do is indicate I have a pollution issue and that I’m going to come up with a mitigation plan,” he said. “What really gets us is the records are going to be barred from public view, permanently sealed, and not even the judicial branch can see the records. As long as you say you have a plan to stop polluting, the public will never even know about it.”

Oklahoma Sierra Club Vice Chairman Mark Derichsweiler said it took some sorting to find the bill’s pitfalls.

“We’re still figuring out all the potential consequences,” he said. “From the outset, though, official public secrecy is hardly ever a good policy.”

Corps studies improving New Orleans levees to keep pace with hurricane flood risk

Posted Apr 3, 7:26 PM

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By **Mark Schleifstein, NOLA.com | The Times-Picayune**

The [Army Corps of Engineers](#) is embarking on studies of potential improvements to the east bank and West Bank hurricane levee systems because portions of the post-[Katrina](#) levee system are likely to be inadequate to reduce risk from stormwater surges created by a so-called 100-year storm as early as 2023.

That initial engineering conclusion was contained in twin Federal Register notices published Tuesday (April 2) by the corps that announce the beginning of the studies to reevaluate whether an upgrade to sustain the 100-year level of hurricane storm damage risk reduction “is technically feasible, environmentally acceptable, and economically justified.”

Concern about whether and when the new levee system will fall behind the increased risk faced by the New Orleans area from hurricane storm surges resulting from climate change increasing storm intensities and sea level rise, and from continued sinking of soils beneath the levees and wetlands that protect them, is nothing new.

New Orleans area hurricane levee designs should be reanalyzed by 2018, Corps of Engineers says

In 2015, corps officials told the [Southeast Louisiana Flood Protection-East](#) that such a study should be completed for the east bank levees by 2018, in advance of the 2023 required recertification of the levee system as providing 100-year protection to assure properties inside the system are covered by the National Flood Insurance Program.

New Orleans area levee improvements already



outpaced by science, engineering, engineer says

Studies by an independent engineer hired by the east bank levee authority had come to similar conclusions in 2013.

The new corps reevaluation reports were authorized by Congress in 2014 and both received \$3 million appropriations in 2018 under rules requiring them to be completed within three years of when they're announced. Public meetings to discuss the two studies and accompanying environmental impact statements, are expected to be scheduled in April or early May.

If the studies conclude that improving the two levee systems is feasible and cost-effective – that the benefits outweigh the cost of construction – the corps is authorized to do construction work on the projects through June 10, 2024. However Congress must still appropriate the 75 percent of

construction money that the federal government would pay for the work, and the state would have to come up with the other 25 percent.

Corps officials won't have an estimate of what work is needed or how much it will cost until the reports are completed.

The existing levee system was largely completed in 2011. Its design was authorized by Congress to protect from storm surges created by a hurricane with a 1 percent chance of occurring in any year, the so-called 100-year storm. The chance of a 100-year storm occurring within the lifetime of a 30-year home mortgage is about 26 percent.

In authorizing the post-Katrina upgrades, Congress directed the corps "to provide the levels of protection necessary" for property behind the levees to participate in the National Flood Insurance Program, which sets base flood elevations for properties based on the same 1 percent/100-year rules.

In 2023, the levees must be recertified as still providing that level of protection, or facilities behind them run the risk of being declared ineligible for coverage. However, in authorizing the new studies, Congress did not link them to the flood insurance recertification process, said Ricky Boyett, a spokesman for the corps' New Orleans District office.

The post-Katrina design built in what the corps calls “resilience,” using design features and materials that would result in earthen levees and other structures still being intact, even if they are overtopped by surges created by a larger, 500-year storm. The corps has estimated that if a 500-year storm were to overtop the new levee system, it would only cause about 5 feet of flooding in the lowest locations, if all internal pump stations were working.

That’s much lower than the 15 feet to 20 feet of floodwaters in the lowest locations in the New Orleans area that resulted from a myriad of levee and floodwall failures in the aftermath of Katrina.

The design also looked 50 years into the future in considering the type of storms that could occur in the Gulf of Mexico, increases in sea level rise, and the rate of subsidence both

beneath the levees and in adjacent marshes, based on the climate science available in 2011.

The designs specifically included elevation levels of concrete structures based on estimated subsidence and surge levels through the year 2057, but Congress did not authorize or appropriate money to elevate levees through 2057 beyond their 2011 levels to deal with those issues.

Both the Southeast Louisiana Flood Protection Authority-East and -West committed to funding the required “levee lifts” through 2057. The new fragility curves produced as part of an initial corps engineering review were based on the 2011 design standards, which didn’t include those levee lifts, Boyett said.

“We have just entered the study process and new data will be generated as we move forward,” he said.

The new studies will take into consideration the most up-to-date information for potential sea level rise, hurricane surge heights and accompanying rainfall, and subsidence rates, and will include estimates of elevations needed from 2023 to 2073 to protect from a 100-year surge event.

Temperature rising: Louisiana's health and environment threatened by global warming

“It will be interesting to see how much higher the levees will have to be by 2023,” said John Monzon, executive director of the West Bank regional levee authority. He said his team plans to raise its levees at least six inches higher than required by the 2011 height requirements, with some locations raised a foot higher.

New Orleans area hurricane and river levees still categorized high risk

However, even if the new studies result in construction raising levee heights, it still will not result in the corps changing its “high risk” classification for the New Orleans area levee system, Boyett said, because its authorization by Congress was limited to the 100-year level required for participation in the flood insurance program. Congress would have to change that authorization to increase that protection, he said, and even

if the system were upgraded to provide 500-year protection, that would not change the rating under the corps “Levee Safety Action Classification” system.

“The probability of large storms in combination with the high density of population and infrastructure within the risk reduction system is so significant that the greater New Orleans area would in all likelihood still receive a high risk classification even if the risk reduction system itself were increased to that of 500-year - or greater- elevations,” Boyett said.

He said the levee classification system was developed to stress the risks associated with large tropical weather events to those living in areas like New Orleans.

“... and no matter how high or large the levee system is, residual risk will remain,” he said, which must be factored in

by those living within the system in the form of preparedness decisions.

Climate advisory panel disbanded by Trump releases report

Scott Waldman, E&E News reporter Published: Thursday, April 4, 2019



A road in Colorado was damaged after flash flooding in 2013, cutting off the small mountain town of Jamestown. Steve Zumwalt/FEMA/Wikimedia Commons

A climate science advisory panel disbanded by the Trump administration released a report today outlining the steps communities can take to prepare for climate change.

In 2017, the Trump administration dissolved the federal Advisory Committee for the Sustained National Climate Assessment. Its purpose was to translate climate science in the National Climate Assessment into usable guidance for local governments and private companies.

The panel was reconstituted by New York Gov. Andrew Cuomo (D) and includes members from academia, corporations and the government. Twelve of the original 15 members, along with eight additional experts, spent a year preparing the report, called "Evaluating Knowledge to Support Climate Action." It's designed to help local officials incorporate the latest climate science in their planning.

The [report](#), released today in the American Meteorological Society's *Weather, Climate, and Society* journal, acknowledges that much of the public's attention on climate change is drawn to large-scale natural disasters, such as wildfires in California. But local governments are more likely to encounter lower-profile risks from higher nighttime temperatures, more sunny-day flooding and reduced snowpack, the report said.

"We're taking this very seriously, we're saying it's a long-term process, but unfortunately it's the new normal, and so we just feel we have to take steps to start organizing the science so that it's valuable in planning for that new normal," said Richard Moss, the report's lead author and senior research scientist at Columbia University's Earth Institute.

The National Climate Assessment is a congressionally mandated volume of climate science released every four years. When it was released in the fall, President Trump dismissed the report by suggesting that scientists were politicized. The White House is now considering conducting an "adversarial" review of the science used in the climate assessment.

Today's report from the Advisory Committee for the Sustained National Climate Assessment is meant to be a resource for local officials when planning infrastructure projects and overseeing things like zoning regulations, insurance policies and building codes. It's designed to help planners manage catastrophic wildfire risk and address threats from inland flooding, storm surge and subsidence.

"If you want to put it in the perspective of communities that aren't yet really talking about climate change per se, it's more along the lines of we have to do a capital improvement plan or we have to upgrade infrastructure, or put together a zoning plan going forward. How do we make sure as we do that that we don't find ourselves putting in something today that is not going to be robust in 10 or 15 years with climate change?" Moss said. "The reframing of this is to take the knowledge that we have and figure out how we apply to the problems that they confront."

The report highlights the need to plan for a broad set of risks posed by climate change. That includes public health interventions for deadly heat waves as well as the spread of disease like the Zika virus. It shows how local governments could account for disruptions in water supplies due to changing precipitation patterns and how to prepare for the displacement of people and food insecurity.

The group recommended establishing a "climate assessment consortium" that would exist outside of the federal government, where political interference would not impede the group's work. It would increase the role of state, local and tribal governments in climate risk assessments.

The researchers recommended an increased reliance on artificial intelligence (AI), citizen science, stronger evaluations of climate models and efforts to support decisionmaking during periods of uncertainty.

"As cities, social systems, and infrastructures grow more complex, and as climates continues to change, AI can reveal impacts, insights, and options that would be difficult to otherwise discover," the report states.

The new report doesn't possess the weight it would have had with the backing of the federal government. And the coalition of states cannot replace federal support for science, like utilizing satellites and building better climate models.

If it had not been disbanded, the committee's work could have been transformed into a government-funded program, Moss said. However, the committee had always intended its work to be broader than federal policy, and the new effort aims to show policymakers in rural areas and cities how they can best prepare for climate change.

"The federal government alone cannot prepare the nation for change, and there is a need to accelerate progress by synthesizing and sharing the lessons currently being learned both inside and outside the federal government," the authors wrote. "This will require establishing sustained partnerships for knowledge, production and application."

State leaders are already planning to incorporate some of the report's findings into their planning.

"We know that success can be achieved only when everyone works together from a common set of facts, and this report is a welcome contribution to our efforts," Hawaii Gov. David Ige (D) said in a statement. "The proposed approach — one that integrates citizen and community science — can propel Hawaii's resiliency measures forward in innovative ways."

Changing the visual narrative of climate change

By Virginia Hanusik, guest columnist | Posted April 04, 2019 at 07:45 AM | Updated April 04, 2019 at 08:10 AM

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Our Lady of Blind River Church. (Photo by Virginia Hanusik)

There is a vast amount of media to consume related to climate change. We are bombarded with images and stories about the crisis that is looming, or already underway, for residents of coastal environments on a daily basis. What is missing from the conversation is how Louisiana fits into the larger international paradigm shift of how we inhabit coastal space and what that physically looks like.



Chalmette Refinery. (Photo by Virginia Hanusik)

Images of disaster and aerial photography have dominated the database of visuals used to describe climate change. The truth is, no single image can properly convey the complexities of such a massive environmental transition. A photograph of record-breaking flooding invokes both fear and awe in the viewer. But, in most cases, that audience is able to dissociate from the captured scene and continue with their lifestyle that contributed to the cause of that weather event in the first place.



Cane Bayou. (Photo by Virginia Hanusik)

What that image of flooding doesn't capture are the behavioral changes and emotional connections residents have to that landscape. Throughout my time photographing in coastal parishes, the part that resonates with me most when talking with people is the deep connection between land and identity. The landscape has influenced the economy, architecture and culture of the region. South Louisiana has a history of structural innovation and adaptation. Whether that innovation has been used to benefit the earth and the health of the residing communities is up for debate, but the innovation is there.



Houseboat on the Atchafalaya Basin. (Photo by Virginia Hanusik)

This moment in time forces us to re-conceptualize how and where we live, and to acknowledge that the right to build along the water without restrictions will likely cease to exist in the coming decades. As a photographer, I focus on daily life in landscapes most vulnerable to environmental changes or landscapes already undergoing adaptation measures. I approach scenes that are reflective of the everyday but incorporate symbols of a changing physical world with details that become more apparent when viewed together.



Lake Maurepas. (Photo by Virginia Hanusik)

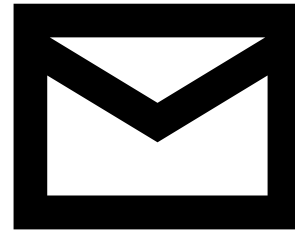
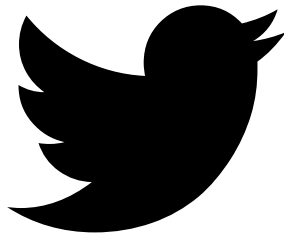
Architectural style and land use patterns of a region provide details and insight into the values of a certain place. Rather than photographing scenes of destruction like what is most commonly conveyed with climate change stories, my images seek to engage audiences with a familiar starting point and provide a platform for learning about these issues.

COMMENTARY 16 HRS AGO

Judge: Shingle Mountain has 90 days to disappear from southeast Dallas



Robert Wilonsky, City Columnist



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DALLAS NEWS

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By July, at the very latest, Shingle Mountain should no longer cast its hideous shadow over southeast Dallas.

No, this is not another temporary shutdown requested by city attorneys and signed by a judge. And this is not another time-out in a case that never should have gotten this far to begin with. This is it. Or, it should be.

The end of Shingle Mountain.

I couldn't believe it either. I asked state District Judge Gena Slaughter for clarification Wednesday, and she provided it in simple and unequivocal terms: "It is closed."

Blue Star Recycling, which collected old roofing shingles and ground them into asphalt along a creek bed, is supposed to spend the next 90 days removing the disaster it has spent months blithely creating behind the homes of Marsha Jackson and Bianca Morales off South Central Expressway. The company's attorney, who has argued Blue Star has every legal right to operate on land this city has zoned for such awful uses, ultimately agreed to the closure.

So what will become of the land upon which Shingle Mountain has taken root in the last year?

"We don't know yet," said Scott Deatherage, the attorney for the recycling company whose owners live in Collin County.

The attorney would not say where the shingles would be taken. *But to be clear*, I asked as he waited for an elevator and escape, *Blue Star's days of gathering and grinding shingles on that land are over?*

"Yes."

The dramatic decision negated some political maneuvering as well as a court hearing that had been on the books since March 21, when Slaughter signed her original 14-day shutdown order. Slaughter on Wednesday was set to decide whether to keep Blue Star closed even longer, as the city had requested.

But at last week's end, another to-do was added to this court date: Dallas City Hall also wanted the judge to cite Blue Star for contempt, alleging the company continued operations in violation of last month's temporary restraining order. The city has pictures of trucks atop Shingle Mountain last Thursday night and Friday morning; so, too, does Jackson.



Marsha Jackson, a homeowner living near Shingle Mountain, talks to a group of activists after Judge Gena Slaughter announced that the piles of shingles would be gone within the next 90 days. (Rose Baca/Staff Photographer)

The courtroom Wednesday was packed for the hearing, which had been scheduled to begin at 11 a.m. I counted about two dozen activists from north and south. They were black and white, men and women, young and old. Two rows were also filled with city employees: attorneys, investigators from the Office of Environmental Quality and officials from the departments of Stormwater Management and Floodway and Drainage Management. City attorneys were prepared to call several witnesses, Jackson among them.

I asked Jackson if she was nervous about taking the stand.

"No," she said softly, looking around the courtroom. "Because I am not alone."

But Jackson never had to testify.

From the moment we got to the courtroom, we could tell something was up.

City attorneys had huddled behind closed doors, sometimes with each other, sometimes with Deatherage and an attorney representing the land owner. We heard murmurs that they were working to clear the contempt case before dealing with the larger issue of the temporary injunction. The city requested and won the injunction last month after the Texas Commission on Environmental Quality warned Blue Star it had "initiated an enforcement action" for failing to have a fire-prevention plan or enough money to clean up the site if it were ever shuttered.

Slaughter came out at 11:31 a.m. and told us only that the attorneys were "working on a legal issue we need to get resolved before proceedings can begin." She then disappeared.

A few minutes after that, former Dallas City Council member Erik Wilson walked in. He wants his old seat back, and he had hoped to strand his opponent Tennell Atkins on Shingle Mountain by helping cut a separate deal between Blue Star owner Chris Ganter and Jackson. Wilson even went out to Shingle Mountain on March 23 to meet with Ganter and Deatherage in an attempt to end this before the case returned to Slaughter's courtroom.

1/3



(Smiley N. Pool/Staff Photographer)



As we sat in court, Jackson and her pro bono attorney, Victor Zertuche of Legal Aid of NorthWest Texas, showed me a letter Deatherage penned on March 24. In it, the attorney wrote Blue Star was willing to remove some of the mountain by August or September. The company also offered to tarp the piles of raw and ground shingles "unless loading or unloading materials," and to build Jackson a wood fence.

But Jackson stood firm. She refused to meet with anyone. She had already tried to plead with the city and compromise with Blue Star months ago — long before she went to a Downwinders at Risk environmental justice meeting in Joppa, before she talked to Downwinders founder Jim Schermbeck about the mess in her backyard, before Schermbeck called me in December about the hellscape growing ever skyward.

"There's a whole neighborhood here," she told me Wednesday about why she held fast, "not just Miss Jackson."

At 12:20 p.m., the attorneys finally took their seats, and the judge emerged from her chambers.

"I think this is good news," Slaughter said.

She announced Blue Star would cease operations, and would no longer accept old shingles or grind what is currently there. She said all equipment used for grinding would be removed altogether, and that the company would spend the next 90 days clearing the land. She said the amount of time was needed because of the "quantity" of material on site — almost 55,000 tons, according to the Texas Commission on Environmental Quality — and because of "weather concerns."

Andrew Gilbert, one of the city's attorneys, said the city had concerns about the 90-day deadline.

"Obviously, you'd prefer it done faster," Slaughter said.

"Yes," Gilbert replied.

Because Shingle Mountain never should have been there at all. But even Jackson — the one among us who has had to live with this in her yard, who coughs up "black stuff," whose grandchildren refuse to play outside her home — could not remain angry with city officials who let this slide for too long. Wednesday's agreement was justice delayed, but it was justice nevertheless. A justice many in that courtroom never thought they would see.

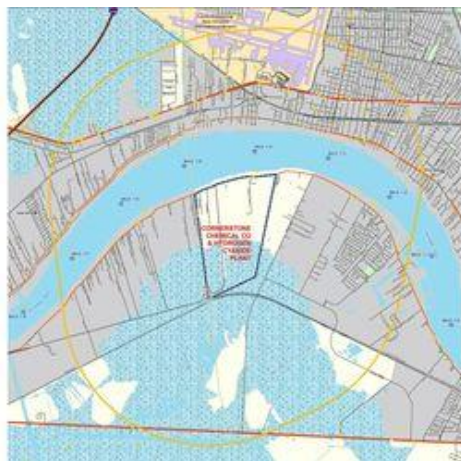
"I feel great," said Schermbeck, the longtime environmental hell-raiser who has protested cement plants, concrete batch plants and lead smelters. "This is by far the most successful thing I've been part of, from beginning to end. It just shouldn't have taken all this time."

Just 90 more days. Cross your fingers. And hold your breath.

Cyanide plant permit revoked by Jefferson Parish Council in extraordinary about-face

Updated 8:20 AM;

Posted Apr 3, 12:27 PM



Cornerstone
Chemical Co.'s
Fortier manufacturing
complex at
Waggaman is shown
in an undated image
filed Feb. 7, 2019,
with the Louisiana
Department of
Environmental
Quality.

By [Drew Broach, NOLA.com | The Times-Picayune](#)

[Jefferson Parish](#) halted Cornerstone Chemical Co.'s plans to build a hydrogen cyanide plant at [Waggaman](#) on Wednesday (April 3). The [Parish Council](#) yanked the permit for the \$100 million project in an extraordinary reversal from its decision 15 months ago.

The council had endorsed the project in a routine 7-0 vote in January 2018, on the recommendation of Parish President [Mike Yenni](#)'s administration. Council members recoiled after hundreds of residents on both sides of the Mississippi River belatedly learned of the project and [began an election-year lobbying campaign](#) against it. Opponents demanded the [Louisiana Department of Environmental Quality](#) deny the plant an air emissions permit and pressed the

council to remove its imprimatur, reminding the politicians of their roles in a representative democracy.

“The people who live and work in Jefferson Parish are the backbone of Jefferson Parish and generate taxes that drive our economy,” said Lisa Karlin, a [River Ridge](#) resident credited with researching Cornerstone’s proposal and galvanizing opposition.



Cyanide company wants more time; Jefferson official says ‘that’s not happening’

Business leaders beseeched the council not to change its mind. Doing so, they said, would send an ominous signal to other corporations and likely exposes taxpayers to liability.

“You’re taking away, essentially, somebody’s property right,” said Tony Ligi, executive director of the Jefferson Business

Council.

“The example being considered today is not one we want to be sharing,” said Vice President Ileana Ledet of GNO Inc., the regional economic development outfit.

- *Watch the council discussion and vote:*

But Councilman [Chris Roberts](#) dismissed suggestions that big industrial employers such as Cornerstone will move elsewhere. “They’re here because of the Mississippi River,” he said. “They can’t go to Wichita, Kansas.”

What happens next is unclear. Officials expect Cornerstone to sue Jefferson Parish; the company says it has already spent \$14 million based on its [“vested interest” in the 2018 permit](#).

If the dispute goes to court, a judge might try to force a settlement. That’s what happened last year when the council,

amid a separate public outcry, tried to reverse its approval for a 60-foot-tall condominium building in [Old Metairie](#). The developer and parish officials eventually [agreed to a 45-foot limit](#).



West Bank cyanide plant wins reprieve from Jefferson Parish and a chance to win over the public

Another possibility is that Cornerstone will revise its plans to make them less objectionable, and do a better job of communicating its intentions to the public. Chief operating officer Tom Yura said the company has been re-engineering the proposal, and he conceded Cornerstone could do a better job of explaining it.

The vote to rescind Cornerstone's special permitted use was 6-1, with Dominick Impastato III in the minority. He sought to delay the decision for 30 days, so Cornerstone could make

changes to its proposal, but no council member seconded his motion.

While withdrawing its consent for the cyanide plant, the Parish Council left in place other elements of the 2018 permit with restrictions. Cornerstone must maintain its fire suppression system, control odors and notify the parish when it shuts down operations for maintenance and repairs.

Cornerstone and its predecessors have been generating hydrogen cyanide since 1953 at the 800-acre Fortier manufacturing complex, directly across the river from [Louis Armstrong International Airport](#). It's a byproduct of making acrylonitrile, which is used to manufacture synthetic fibers and plastics.

The company delivers hydrogen cyanide to another Fortier tenant, Evonik Industries, which uses it to make acrylic

monomers for plastics, paints and coatings and for the oil and gas industry.



Cyanide plant for West Bank alarms residents of east bank

Cornerstone says it is spending \$20 million modernizing its existing plant, which will reduce hydrogen cyanide output and, according to Jefferson Parish's chief hazardous materials officer, [make it safer](#). But because the company is under contract to deliver to a tenant, it proposed building a new \$100 million cyanide plant, including two new 26,000-gallon storage tanks.

The company said the project would result in a "net zero increase" of hydrogen cyanide.

Opponents weren't buying it. In River Ridge and [Harahan](#), residents newly sensitive to [environmental odors from the parish landfill](#) at Waggaman and other sources seized on cyanide as a threat to public safety and found common cause with some Waggaman residents.

Yura asked the council for “another couple of weeks” to negotiate and put its promises in writing, including reducing the capacity of the cyanide storage tanks to 11,000 gallons each or less. “We can work together, just like we’re doing right now,” he said.

Delaying the vote has worked before for Cornerstone, but not this time. Some council members indicated they are willing to consider a revised proposal after - not instead of - rescinding the 2018 permit.

“Right now we don’t have anything in writing,” said Councilwoman Jennifer Van Vrancken, who holds a law degree. “The first thing they teach you in law school is get it in writing.”